

### **REMARKS/ARGUMENTS**

Claims 1-19 are pending. In the present Amendment, claims 1, 5 and 16 are amended.

#### **Examiner's Interview**

Applicants appreciate the Examiner's time and consideration during the Telephonic Interview held on October 24, 2008. During the Interview, Applicants' representative and Examiner Lyjak discussed independent claim 1 and the cited prior art (French Patent Document No. FR 2 842 154 (the "French Reference")). As discussed below in more detail, the Examiner agreed that claim 1 overcomes the rejection over the French reference.

#### **Allowable Claims**

Applicants gratefully acknowledge the Examiner's indication that claims 5-14, 16-17 and 19 include allowable subject matter.

Applicants respectfully note that previously-presented independent claims 6 and 11 are in allowable independent form. Dependent claims 7-10 and 12-14, which depend from allowable independent claims 6 and 11, respectively, are allowable for at least the same and other independent reasons.

#### **Rejected Claims**

The Examiner rejected claims 1-4, 15 and 18 under 35 U.S.C. §102(b) as being anticipated by the French Reference. Reconsideration of the rejections is respectfully requested. As discussed during the Interview and below in more detail, the Examiner agreed that the French Reference does not teach or suggest the subject matter defined by independent claim 1.

Independent claim 1 defines a windshield wiper device (10) for a motor vehicle, comprising at least one driving element (16) that can be fastened to the motor vehicle, at least two essentially elongate fastening elements (22, 48) which are disposed in an axially rigid manner and are able to engage in receptacles (24, 46) of the motor vehicle, and at least one damping element (28, 60) for damping mechanical vibrations, characterized in that the driving element (16) has a driven shaft (44) and the fastening elements (22, 48) are positioned such that

the driving element (16) can be fastened by being rotated around one of the driven shaft (44) and an axis that runs essentially parallel thereto.

As discussed during the Interview, the French Reference discloses a driving element with fastening elements 36 which are fastened (in receptacles 34) by planar movement along an axis (in Fig. 2, parallel to the axis of the shaft 24; in Fig. 4, perpendicular to the axis of the shaft 24). As also discussed during the Interview and as agreed to by the Examiner, the French reference does not teach or suggest, among other things, a windshield wiper device in which the driving element can be fastened by being rotated around one of the driven shaft 24 and an axis that runs essentially parallel thereto.

For at least this independent reason, the French Reference does not teach or suggest each and every limitation of independent claim 1. Accordingly, independent claim 1 is allowable. Dependent claims 2-4, 15 and 18, in addition to allowable dependent claims 5, 16-17 and 19, depend from independent claim 1 and are allowable for at least the same and other independent reasons.

### **CONCLUSION**

In view of the foregoing, Applicants respectfully request entry of the present Amendment and allowance of claims 1-19.

The undersigned is available for telephone consultation during normal business hours at the below-identified telephone number.

Respectfully submitted,

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